

2. District Courts are entitled to expect strict compliance with LR 56.1. *See, Raymond v. Ameritech Corp.*, 442 F.3d 600, 604 (7th Cir. 2006). It is within the District Court's discretion to strike submissions which fail to comply with LR 56.1. *Bordelon v. Chicago School Reform Board of Trustees*, 233 F.3d 524, 527 (7th Cir. 2000). Additionally, the failure to comply with LR 56.1 "constitutes grounds for denial of the motion." LR 56.1(a)(3).

3. On August 20, 2009, Defendant Denise Squire filed a motion for summary judgment. (Docket #50). Defendant Squire submitted a "Memorandum In Support Of Her Motion For Summary Judgment." (Docket #51). Squire, however, has not filed the statement of material facts as required by LR 56.1(a)(3).

4. FILI remains prepared to address the substantive legal issues and factual disputes related to Denise Squire's alleged involvement in the conspiracy to defraud FILI which preclude summary judgment at this time. Squire's failure to comply with LR 56.1, however, requires that Denise Squire's motion be stricken or denied.

WHEREFORE, Plaintiff, FILI, prays that this Court enter an order striking Denise Squire's Motion For Summary Judgment or, in the alternative, deny the motion based on her failure to comply with LR 56.1 and such further relief as is just and appropriate.

Date: September 4, 2009

LOCKE LORD BISSELL & LIDDELL LLP

By Mark A. Deptula
Attorneys For Plaintiff,
FIDELITY INVESTMENTS LIFE
INSURANCE COMPANY

Jennifer A. Kenedy
Mark A. Deptula
LOCKE LORD BISSELL & LIDDELL LLP

111 South Wacker Drive
Chicago, IL 60606
312-443-0700

Certificate Of Service

I, Mark A. Deptula, an attorney, certify that on September 4, 2009, I caused the aforesaid filing to be served on All Counsel of Record via the ECF system, except service on Michael R. Graf, Michael R. Graf PC, 750 West Northwest Highway, Arlington Heights, IL 60004 was made via U.S. Mail.

_____/s/ Mark A. Deputla